

THIS SECOND AMENDMENT dated June 20, 2006, is between the City of Milpitas and Compass Group USA, Inc. by and through its Bateman Division ("Bateman")

This second amendment to that certain agreement ("the Agreement") between the City of Milpitas (CITY) and Compass Group USA, Inc. by and through its Bateman Division (CONTRACTOR)(collectively, "the Parties") entered into on July 1, 2004, for the purpose of providing meals for the Santa Clara County Senior Nutrition Program offered at the Milpitas Senior Center, is entered into this 20th day of June, 2006.

WITNESSETH

WHEREAS, the Parties wish to extend the Agreement for an additional year, so that the Agreement shall run until June 30, 2007; and

WHEREAS, additional funding for the extension is available as a part of the Santa Clara County Senior Nutrition Budget, budgeted within Recreation Services Operating Budget; and

WHEREAS, the additional funding of \$46,390 will serve senior residents of the center 60 years and older an average of 80 meals a day, 153 days per year, totaling 12,240 meals for fiscal year 2006/2007.

NOW THEREFORE, by agreement of the Parties, the Agreement is hereby amended as follows:

Amendment

1. The term of the agreement as set forth in Section 6, First Paragraph is hereby extended for an additional twelve (12) month period commencing on July 1, 2006 and ending on June 30, 2007.
2. The meal rates as set forth in section 1, Second paragraph of exhibit A to the agreement is hereby modified to \$3.79 per meal, and total compensation will not exceed \$46,390.
3. This second amendment is effective July 1, 2006 and thereafter, unless amended thereafter. All other terms and conditions contained in the Agreement shall remain unchanged and in full force and effect. Exhibit A, Cost per Meal is revised to read: \$3.79

All other terms and conditions of the Agreement shall remain in full force and effect.

In the event of a conflict between the original conflict and this amendment, this amendment shall control.

CITY OF MILPITAS

Dated: _____

BY: _____
CITY MANAGER

ATTEST

APPROVED AS TO FORM

BY: _____
CITY CLERK

BY: _____
CITY ATTORNEY

APPROVED AS TO CONTENT

BY: _____

CONTRACTOR

Date: _____

BY: _____

Date: _____

BY: _____